

Notice of Allowability

Application No.

10/619,016

Examiner

Dana Ross

Applicant(s)

SCHEFFER, DOUGLAS

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed 17 April 2006.
2. ☒ The allowed claim(s) is/are 1,5-16 and 18-34.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Michael Hughes on 1 May 2006.

The application has been amended as follows:

In the claims:

Claim 9 (Amended) The assembly as recited in Claim [2] 1, wherein said mounting section has a collet connecting portion to engage said bevel member.

Claim 16 (Amended) A method of beveling an end edge portion of [the] a pipe, said method comprising:

a) providing a rotary power saw wherein said rotary power saw section comprises:

- i) a rear handle grip portion which is adapted to be manually grasped,
- ii) a forward saw portion having a saw mounting portion with a rotary drive member to which a rotary saw blade can be mounted, said rotary drive member having a transverse axis of rotation about a center axis of rotation of the rotary drive member;

- b) providing a bevel section comprising a mounting section and a bevel cutting section connected to said mounting section, with said bevel cutting section having a locating surface and a bevel member wherein said bevel cutting section comprises a locating member having an end edge portion which comprises said locating surface portion which extends around the axis of rotation of said bevel member, said bevel member and said locating member are adjustably movable relative to one another along said axis of rotation of said bevel member and said locating member comprises a side wall which defines a recess in which to receive said bevel member;
- c) connecting said mounting section to said rotary drive member so that said mounting section and said bevel cutting section with said bevel member and said locating surface rotate with said drive member;
- d) positioning said rotary power saw so that said bevel member is adjacent to the end edge portion of the pipe and said locating surface is positioned against said end edge portion of the pipe;
- e) operating said rotary power saw to rotate said drive member and thus rotate said bevel member;
- f) moving said rotary power saw so that said bevel section moves around the end edge portion of the pipe to form a bevel surface with the locating surface portion engaging the end edge portion to properly locate the bevel member.

Allowable Subject Matter

2. Claims 1, 5-16 and 18-34 are allowed.
3. The following is an examiner's statement of reasons for allowance:

Regarding Independent Claim 1, Applicant has amended the claim and has incorporated previously indicated allowable subject matter into the independent claim (the limitations of claims 2, 3 and 4).

Regarding Independent Claims 20 and 21, the reasons for allowance are detailed in the previous office action.

Regarding Independent Claim 16, Applicant has amended method Claim 16 and incorporated the allowable structural limitations of Apparatus claim 1, allowable subject matter of Claims 2, 3 and 4.

Regarding Independent Claim 28, Applicant has amended the claim to incorporate allowable subject matter of claims 2 and 4.

The closest prior art is US Pat. No. 6,079,302 (Gudleske, hereafter '302), US Pat. No. 4,633,621 (Weber, hereafter '621) and US Pat. No. 4,180,358 (Uribe, hereafter '358) as is discussed in detail in the previous office action.

The prior art neither anticipates nor renders obvious a method of beveling and end edge portion of a pipe as claimed in claim 28, specifically wherein the combination of limitations includes the bevel cutting section comprises a locating member having an end edge portion which comprises the locating surface portion which extends around the axis of rotation of the bevel member, the bevel member and the locating member are adjustably movable relative to one another along the axis of rotation of the bevel member and the locating member comprises a

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side wall which defines a recess in which to receive the bevel member; or a pipe beveler for beveling an outer circumferential side surface adjacent to a transverse edge surface of a pipe as claimed in claim 28, specifically wherein the combination of limitations includes a locating member having a locating surface “which extends substantially around the axis of rotation of the bevel member” and “said locating member comprises a side wall which defines a recess in which to receive the bevel member” and “an adjustment system adapted to position the locating member with respect to the mounting section whereby the locating surface is adjusted with respect to the bevel member to remove a determined amount of material from the outer circumferential side surface of the pipe”.

‘302, ‘621 or ‘358 do not disclose these limitations.

Therefore ‘302, ‘621 nor ‘358 anticipate the claimed inventions of independent claims 21 or 22.

Furthermore, there is no prior art either alone or in combination with ‘302, 621 or ‘358 that would render obvious the claimed inventions and no motivation found to modify either ‘302, 621 or ‘358 to obtain the claimed invention, and furthermore, to do so would destroy the workability of ‘302, 621 and ‘358.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dana Ross whose telephone number is 571-272-4480. The examiner can normally be reached on Mon-Thurs.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Boyer Ashley can be reached on 571-272-4502. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


dmr


MONICA CARTER
SUPERVISORY PATENT EXAMINER